

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

J. DOES 1-26,

Plaintiffs-Appellees,

v.

ELON MUSK, in his official capacity; UNITED
STATES DOGE SERVICE; DEPARTMENT
OF GOVERNMENT EFFICIENCY,

Defendants-Appellants.

No. 25-1273

JOINT STATUS REPORT

On June 9, 2025, the Court granted the government's motion to hold this appeal in abeyance "for the district court to resolve the motion to dismiss or otherwise issue any subsequent appealable order" and directed the parties to file regular status reports. The parties filed status reports on July 9, 2025, and August 8, 2025.

On August 13, 2025, the district court denied the government's motion to dismiss. The government is currently considering whether to seek permission to pursue an interlocutory appeal under 28 U.S.C. § 1292(b). The government respectfully requests that this Court continue to hold this appeal in abeyance to afford the Solicitor General sufficient time to make that determination.

Respectfully submitted,

MARK R. FREEMAN
MELISSA N. PATTERSON
ADAM C. JED

/s/ Pooja Chaudhuri
Pooja Chaudhuri
Tianna J. Mays*
Norman L. Eisen*
DEMOCRACY DEFENDERS
FUND
600 Pennsylvania Avenue SE,
Suite 15180
Washington, DC 20003
Tel: (202) 594-9958
Pooja@statedemocracydefende
rs.org
Norman@statedemocracydefe
nders.org
Tianna@statedemocracydefen
ders.org

Mimi Marziani*
Rebecca (Beth) Stevens*
Joaquin Gonzalez*
MARZIANI, STEVENS &
GONZALEZ PLLC
500 W. 2nd Street, Suite 1900
Austin, TX 78701
Tel: (210) 343-5604
mmarziani@msgpllc.com
bstevens@msgpllc.com
jgonzalez@msgpllc.com

Richard M. Heimann*
Nicole M. Rubin*

/s/ Cynthia Barmore
CYNTHIA BARMORE
Attorneys
Civil Division, Appellate Staff
U.S. Department of Justice
950 Pennsylvania Ave., N.W., Rm.
7541
Washington, D.C. 20530
202-616-5374
cynthia.a.barmore@usdoj.gov

Counsel for Defendants-
Appellants

LIEFF CABRASER
HEIMANN & BERNSTEIN,
LLP
275 Battery Street, 29th Floor
San Francisco, CA 94111
Tel: (415) 956-1000

**admissions application
forthcoming*

*Counsel for Plaintiffs-
Appellees*

SEPTEMBER 2025

CERTIFICATE OF COMPLIANCE

I hereby certify that this document complies with the word limit of Federal Rule of Appellate Procedure 27(d) because it has been prepared in 14-word Times New Roman, a proportionally spaced font, and it contains 115 words according to the count of Microsoft Word.

/s/ Cynthia Barmore

CYNTHIA BARMORE

CERTIFICATE OF SERVICE

I hereby certify that on September 8, 2025, I filed and served the foregoing by causing a copy to be electronically filed with the Clerk of Court via the appellate CM/ECF system.

/s/ *Cynthia Barmore*
CYNTHIA BARMORE